

EXECUTION COPY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

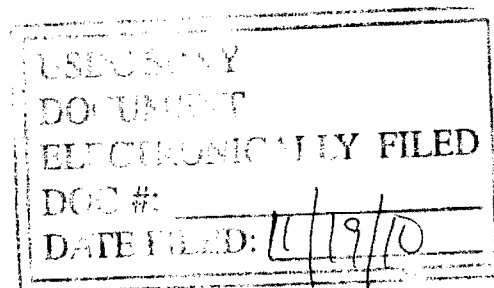
-----X
WELLS FARGO & CO.,

Plaintiff,

v.

CITIGROUP INC.,

Defendant.
-----X



08-CV-8716 (SAS)

**STIPULATION AND ORDER OF DISMISSAL
WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED that the above-captioned action be and the same is hereby discontinued with prejudice and without costs to either party as against the other.

Dated: New York, New York
November 18, 2010

FRIEDMAN KAPLAN SEILER &
ADELMAN LLP

GREGORY P. JOSEPH LAW OFFICES LLC

By: Eric Seiler / DBR
Eric Seiler, Esq.
1633 Broadway
New York, New York 10019
(212) 833-1100

Attorneys for Plaintiff

By: [Signature]
Gregory P. Joseph, Esq.
485 Lexington Avenue, 30th Floor
New York, New York 10017
(212) 407-1210

Attorneys for Defendant

SO ORDERED:

[Signature]
United States District Judge